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1 A. Liu Hui.

2 Q. How long has Liu Hui been the sales manager  
3 at Feitian?

4 A. Since early this year.

5 Q. Okay. Have you asked anyone what does  
6 Feitian or -- has Feitian since October of 1999 done  
7 any business in California?

8 A. I don't know.

9 Q. Did you ever ask Liu Yuhong specifically  
10 whether Feitian was doing any business in California?

11 A. No.

12 Q. Did you ever ask Liu Hui if Feitian has done  
13 any business in California?

14 A. I ask.

15 Q. And what answer did you get?

16 A. I haven't heard from Liu Hui yet.

17 Q. Okay. If you wanted to find out if Feitian  
18 did business in California, what business records does  
19 Feitian have that would show you whether or not Feitian  
20 does any business in California or has done any  
21 business in California?

22 A. I'm not sure about their personal business.

23 Q. My question is, if you wanted -- if someone  
24 wanted to find out if Feitian has done any business in

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1 California since October of 1999, what records does  
2 Feitian have that that person could look at to find out  
3 if Feitian has done any business in California since  
4 October of 1999?

5 A. Personal e-mail.

6 Q. Have you asked Mr. Hui to look at personal  
7 e-mails to determine if Feitian has done any business  
8 in the State of Delaware since October of 1999?

9 A. Yes.

10 Q. Okay. And when you say personal e-mails,  
11 describe what you mean? Whose personal e-mails?

12 A. Liu Yuhong personal e-mail.

13 Q. Anyone else?

14 A. No.

15 Q. Did Mr. Hui look at Liu Yuhong's personal  
16 e-mails?

17 A. I don't know.

18 Q. If you wanted to find out -- if someone  
19 wanted to find out whether Feitian did any business in  
20 California since October of 1999, what records could a  
21 person look at to determine that?

22 THE INTERPRETER: Ma'am, the interpreter  
23 was asked to repeat.

24 THE WITNESS: Personal e-mail.

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1 BY MS. O'LAUGHLIN:

2 Q. And whose personal e-mails?

3 A. Liu Yuhong.

4 Q. Did you ask anyone to look at Liu Yuhong's  
5 personal e-mails to determine whether or not Feitian  
6 had done any business in California since October of  
7 1999?

8 A. Yes.

9 Q. And do you know if Mr. -- and who did you  
10 ask?

11 A. Liu Hui.

12 Q. Okay. And Mr. Hui has not -- do you know  
13 whether or not Mr. Hui has, in fact, reviewed any  
14 e-mails from Liu Yuhong in response to your request?

15 A. I don't know.

16 Q. Does Yuhong translate as an Anglicized  
17 version of -- is that Rachel?

18 A. I don't know.

19 Q. Okay. Was Liu Yuhong a man or woman?

20 A. Liu Yuhong is a woman.

21 Q. Okay. Was her title international sales and  
22 marketing manager?

23 A. Can I take a rest?

24 Q. Yes. How much time do you need, Mr. Li?

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1 A. About ten minutes.

2 Q. Okay. Before we break could you just answer  
3 my last question. Was Ms. Yuhong's title international  
4 sales and marketing manager?

5 A. Yes.

6 MS. O'LAUGHLIN: Okay. We'll take ten  
7 minutes. Don't hang up. We'll just keep the  
8 line open.

9 (At this time, a brief recess was  
10 taken.)

11 BY MS. O'LAUGHLIN:

12 Q. Mr. Li, let me understand what you said  
13 before we took the break. Is it your testimony that  
14 the only information anywhere in Feitian concerning  
15 sales to California or Delaware would be located in the  
16 personal e-mails of someone who hasn't worked for  
17 Feitian for about a year?

18 THE INTERPRETER: Mr. Li did not answer  
19 the question.

20 BY MS. O'LAUGHLIN:

21 Q. Mr. Li, can you answer that question?

22 A. Well, other information might be in fax too.

23 Q. In?

24 A. Fax.

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1 Q. Faxes. So Feitian communicates not just by  
2 e-mail but by faxes as well; is that what your  
3 testimony is?

4 A. And also phone.

5 Q. Okay. So have you or has anyone reviewed the  
6 fax records of Feitian to determine whether or not  
7 Feitian has had any communications to or from the  
8 States of Delaware or California since October of 1999?

9 A. Up to now we haven't found any.

10 Q. My question was, have you asked anyone or do  
11 you know if anyone has looked at all the fax records of  
12 Feitian to determine whether there were any  
13 communications to or from the States of Delaware or  
14 California since October of 1999?

15 A. Yes.

16 Q. Where are the fax records kept?

17 A. Personal file folder.

18 Q. Personal file folders. Whose personal file  
19 folders?

20 A. Liu Hui.

21 Q. The sales manager?

22 A. Yes.

23 Q. How long has the sales manager worked for  
24 Feitian?

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1 A. You already asked this question before.

2 Q. Okay. Could you refresh my recollection what  
3 you answered?

4 A. Since early this year.

5 Q. Okay. So where are the fax records for  
6 Feitian that predate early this year when the sales  
7 manager started working for Feitian?

8 A. Liu Yuhong folder.

9 Q. Okay. So all the -- and how long did Ms. Liu  
10 Yuhong work at Feitian?

11 A. I don't remember clearly.

12 Q. Okay. Did she work there in 1999?

13 A. It seems not.

14 Q. Did she work there in 2000?

15 A. No.

16 Q. Did she work there in 2001?

17 A. No.

18 Q. Did she work there in 2002?

19 A. I don't remember.

20 Q. Okay. What about 2004, did she work there in  
21 2004?

22 A. Yes.

23 Q. Okay. Now, before Ms. Yuhong worked or  
24 Ms. Yuhong worked at Feitian, where were the -- strike

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1 that.

2 Are you telling me that all of Feitian's fax  
3 records are located either in the personal file of Liu  
4 Yuhong, the former person in the -- former  
5 international sales and marketing manager or are in the  
6 personal file of Liu Hui who is now the sales manager?

7 A. Yes.

8 Q. And that all Feitian's fax records from  
9 October of 1999 to the present are located in one of  
10 those two personal files; is that your testimony?

11 A. They take care of what they are doing.

12 Q. That doesn't answer my question, Mr. Li. My  
13 question is, are all the fax records of Feitian from  
14 October 1999 to the present kept either in the personal  
15 file of Liu Yuhong or the personal file of Liu Hui; is  
16 that your testimony?

17 A. I'm not sure.

18 Q. What about phone records, where are the phone  
19 records of Feitian kept?

20 A. No, there is no phone records.

21 Q. Feitian doesn't keep records of its calls at  
22 all?

23 A. Yes.

24 Q. Has Feitian ever kept records of its phone

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1 calls?

2 A. No.

3 Q. Does Feitian have the ability -- well, does  
4 Feitian have an international phone carrier?

5 THE INTERPRETER: Ma'am, Mr. Li is  
6 asking the interpreter to paraphrase.

7 MS. O'LAUGHLIN: Okay.

8 THE WITNESS: Well, there isn't any  
9 specific phone carrier. It's just the public  
10 phone carrier.

11 BY MS. O'LAUGHLIN:

12 Q. Okay. Does Feitian keep copies of its phone  
13 bills?

14 A. No.

15 Q. Okay. Going back to the faxes, do you know  
16 whether anyone has reviewed every fax that's in  
17 Mr. Hui's file and every fax in Liu Yuhong's personal  
18 e-mail file to determine whether or not there were any  
19 faxes to or from the States of Delaware or California?

20 A. Up to now I'm not sure.

21 Q. Okay. What other business records does  
22 Feitian maintain that would have any information  
23 concerning sales or services made to anyone in the  
24 State of Delaware or the State of California?



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1 THE INTERPRETER: Ma'am, is that the end  
2 of the question?

3 MS. O'LAUGHLIN: Yes.

4 THE INTERPRETER: Meaning to the State  
5 of Delaware or California or only Delaware?  
6 I missed that.

7 MS. O'LAUGHLIN: Will the court reporter  
8 read back my question?

9 (At this time, the court reporter read  
10 back the requested testimony.)

11 THE WITNESS: No.

12 BY MS. O'LAUGHLIN:

13 Q. That doesn't answer my question. No. My  
14 question is, what other records does Feitian have? Is  
15 your answer they don't have any?

16 A. Yes, do not have any.

17 Q. Okay. Tell me how -- describe for me what  
18 would happen if I am located in California and I want  
19 to buy a product of Feitian. What steps would I have  
20 to take and what steps would Feitian take in that  
21 transaction?

22 A. I can't answer this question.

23 Q. Why?

24 A. Now we don't respond to any inquiry from

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1 Delaware or California.

2 Q. Why don't you now respond to any inquiries  
3 from Delaware and California?

4 A. Because now we do not have a specific  
5 salesperson in charge of this.

6 Q. Okay. But at any time since 1999 if I  
7 made -- if I'm in California and I try to buy a Feitian  
8 product or get a service of Feitian's, describe to me  
9 the steps that would be taken in that transaction?

10 A. I can't answer this hypothetical question.

11 Q. Mr. Li, it's not a hypothetical question.  
12 Well, prior -- is it your testimony that because  
13 Feitian doesn't have someone in charge of international  
14 sales that Feitian is not attempting to make any sales  
15 in the United States?

16 THE INTERPRETER: Ma'am, the interpreter  
17 needs to ask Mr. Li to repeat.

18 MS. O'LAUGHLIN: Okay.

19 THE WITNESS: Well, my testimony is only  
20 regarding the situation in Delaware and  
21 California.

22 BY MS. O'LAUGHLIN:

23 Q. Okay. Then let me ask the question so -- and  
24 you refuse to answer as to any place other than

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1 Delaware or California; is that correct?

2 A. Yes.

3 Q. Okay. Is it your testimony, then, that since  
4 Liu Yuhong left Feitian that Feitian has not attempted  
5 to make any sales or provide any services or make any  
6 offers of sales to anyone in the State of California?

7 A. I need to confirm.

8 Q. Who would you confirm with?

9 A. I need to confirm the situation now.

10 Q. And who would you confirm it with?

11 A. Liu Hui.

12 Q. I have the same question concerning Delaware.  
13 Would you have the same answer?

14 A. Yes.

15 Q. Okay. Before Liu Yuhong left Feitian, did  
16 Feitian make sales or offers of sales or provide any  
17 services to anyone in California?

18 A. I don't know now.

19 Q. Who would know?

20 A. Liu Hui need to check it.

21 Q. How would Liu Hui check it?

22 A. Check into previous e-mail of Liu Yuhong.

23 Q. What about before Liu Yuhong worked at  
24 Feitian from October of 1999 onwards, did Feitian make

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1 any offers of sale or sales or provide any services to  
2 anyone in California?

3 A. I'm not sure.

4 Q. Okay. Have you asked?

5 A. Yes.

6 Q. Who did you ask?

7 A. Liu Hui.

8 Q. Okay. And how would Liu Hui answer your  
9 question?

10 A. Well, Liu Hui needs time to look into this  
11 matter.

12 Q. Okay. And did you give Mr. Hui any direction  
13 as to how he was to look into this matter?

14 A. No.

15 Q. Well, how do you expect him to look into the  
16 matter unless he is given direction?

17 A. I don't know. That's his responsibility.

18 Q. Mr. Li, though, this Liu Hui, the sales  
19 manager has been with Feitian for less than a year; is  
20 that correct?

21 A. Yes.

22 Q. And he reports to you; is that correct?

23 A. Yes.

24 Q. Do you intend to give him any direction as to

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1 how he should obtain the information that's needed to  
2 answer the questions as to what business Feitian does  
3 and has done since October 1999 in California?

4 A. No.

5 Q. Have you given Mr. Hui any direction as to  
6 how to obtain the information necessary to answer  
7 Aladdin's questions as to the business that Feitian has  
8 done since October 1999 to the present in the State of  
9 Delaware?

10 A. No.

11 Q. Have you had any discussions with anyone else  
12 at Feitian about answering Aladdin's questions as to  
13 whether or not Feitian has made offers of sale or sales  
14 or provided services to anyone in Delaware or  
15 California?

16 A. No.

17 Q. When Feitian sells a product, does it  
18 generate any invoice concerning that sale?

19 A. Yes.

20 Q. Okay. Have you asked Mr. Hui or anyone else  
21 to review any invoices prepared by Feitian to see if  
22 there were any purchases of Feitian products by anyone  
23 in Delaware or California?

24 A. Yes, I ask.

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1 Q. Okay. Do you know if he has?

2 A. Yes, he did. He has.

3 Q. Did you ask him to look at invoices from  
4 October 1999 to the present?

5 A. Yes.

6 Q. Okay. Do you know if Mr. Hui has completed  
7 his review of the invoices from October 1999 to  
8 present?

9 A. We only keep three month of record of the  
10 invoice.

11 Q. So Feitian only has the most recent three  
12 months invoices?

13 A. Yes.

14 Q. Is that company -- did Feitian ever keep  
15 invoices for more than three months?

16 A. Our rule is to keep at least three months of  
17 invoice, so sometimes it might be longer.

18 Q. Are the invoices kept in a central location?

19 A. No.

20 Q. Okay. Tell me how the invoices or where the  
21 invoices are kept.

22 A. The sales manager keeps the invoices.

23 Q. Okay. Before Mr. Hui was the sales manager,  
24 would that -- well, let me ask this way. Would that

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1 be -- is Mr. Hui the sales manager and he -- it's  
2 considered his job to keep the invoices; is that what  
3 you're testifying?

4 A. Yes.

5 Q. Okay. Is it your testimony that if I'm a  
6 long-term customer of Feitian and I purchase products  
7 for five years from Feitian, that you would only --  
8 Feitian only has my sales records, my invoices, for the  
9 last three months?

10 A. Well, we will keep at -- we will keep at  
11 least three months invoice. Sometimes it might be  
12 longer.

13 Q. Did Mr. Hui, does he have all of the sales  
14 invoices for all the sales that Feitian has?

15 A. No.

16 Q. Okay. Who else has the sales invoices?

17 MR. REEVES: And let me go ahead and  
18 interject an objection here to the extent  
19 that the invoices are coming from places  
20 other than Delaware and California.

21 MS. O'LAUGHLIN: Well, how would he  
22 know, Mr. Reeves, unless he looked at them?

23 MR. REEVES: Well, I mean --

24 MS. O'LAUGHLIN: I'm trying to figure

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1 out how Feitian, what he looked at, and how  
2 Feitian keeps its business records in the  
3 usual course of business.

4 MR. REEVES: I understand, and I think  
5 you're entitled to that as long as we're  
6 talking about how they keep business records  
7 coming from Delaware and California but not  
8 business records for sales that may go to  
9 places like Finland or, you know, assuming  
10 they have sales in Finland. So, you know, as  
11 long as they are talking about, you know,  
12 U.S. based California and Delaware invoices,  
13 then I'll let him answer the question. But I  
14 don't think he needs to answer the questions  
15 for the business invoices.

16 BY MS. O'LAUGHLIN:

17 Q. Let me ask this question, Mr. Li. Does  
18 Feitian segregate the invoices that are for sales and  
19 purchases in the United States from its other invoices?

20 A. Well, whoever is in charge, whoever will take  
21 care of the invoice, and I'm not sure about other  
22 details.

23 Q. Who is that person currently? Well, have you  
24 asked for details on where the invoices for U.S. sales



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1 are maintained?

2 A. Yes.

3 Q. And what were you told and who did you ask?

4 A. I asked Liu Hui.

5 Q. And what were you told?

6 A. He kept the invoice in his file folder.

7 Q. Is Mr. Hui responsible for all the invoices  
8 for U.S. sales?

9 A. Well, this is beyond those two things so I  
10 can't answer this question.

11 MS. O'LAUGHLIN: Mr. Reeves, could  
12 you -- I think that this is a legitimate  
13 question to try to find out what kind of  
14 business records Feitian maintains. I'm only  
15 asking him who maintains the business records  
16 concerning U.S. sales. I haven't --

17 MR. REEVES: To the extent the question  
18 just calls for who maintains them --

19 MS. O'LAUGHLIN: And how --

20 MR. REEVES: And let me talk to the  
21 translator. You can translate to the extent  
22 that the question is just asking for who  
23 maintains the business records for sales in  
24 the U.S. he can answer.

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1 THE WITNESS: Liu Hui.

2 BY MS. O'LAUGHLIN:

3 Q. Before Mr. Hui who maintained them?

4 A. Liu Yuhong.

5 Q. And before Liu Yuhong?

6 A. Nobody.

7 Q. How are -- well, what records does Feitian  
8 maintain concerning its U.S. sales? Could you describe  
9 the records it maintains?

10 A. Do you refer to the invoices?

11 Q. Invoices among other things. What I'm trying  
12 to find out is I want him to describe what kind of  
13 records are maintained by Feitian in the usual course  
14 of business for its U.S. sales?

15 A. E-mail, fax, and invoices.

16 Q. Anything else?

17 A. No.

18 Q. And is e-mails, fax, and invoices, are those  
19 the business records that Feitian has maintained for  
20 its U.S. sales since October of 1999, those kinds of  
21 records?

22 A. Yes.

23 THE INTERPRETER: Mr. Li is question how  
24 long do you still need to ask me questions?

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1 MS. O'LAUGHLIN: It depends. At least  
2 another hour or more.

3 THE WITNESS: Well, if the hour are too  
4 long can we change another time?

5 MS. O'LAUGHLIN: Yes, as long as it's  
6 within the next several weeks, if he's  
7 available.

8 MR. REEVES: Well, let me interrupt. If  
9 counsel wants to continue the deposition,  
10 then we would agree to that. We would set a  
11 time within the next several weeks although I  
12 want to confirm that while I have a  
13 translator with me that Mr. Li would be  
14 available. Is that what you're saying, Mary  
15 Ellen?

16 MS. O'LAUGHLIN: Well, I'm not  
17 suggesting it. Mr. Li seems to be suggesting  
18 it.

19 MR. REEVES: I understand. I guess,  
20 one, my question is, are you agreeing to --

21 MS. O'LAUGHLIN: If he wants to end it  
22 now?

23 MR. REEVES: Yes, ma'am, or in some time  
24 when, you know, when he feels he needs to end

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1 it, I guess.

2 MS. O'LAUGHLIN: Yeah. I'm agreeable to  
3 continuing it then, especially since it will  
4 give him time to complete the review  
5 concerning the California contacts. So when  
6 he feels that he's had enough today, then we  
7 can reconvene. I just don't want to push it  
8 out too far.

9 MR. REEVES: What would you say within  
10 the next two weeks, three weeks, or what  
11 would be your time frame?

12 MS. O'LAUGHLIN: Yeah. I mean, our  
13 discovery deadline is end of September. I  
14 don't want to push up against that. What I'd  
15 like is -- I don't want to reconvene and have  
16 him tell me that he's not had time to  
17 investigate as to the California contacts.

18 MR. REEVES: May I use the translator  
19 then?

20 MS. O'LAUGHLIN: Yes.

21 MR. REEVES: Translator?

22 THE INTERPRETER: Yes.

23 MR. REEVES: Are you there?

24 THE INTERPRETER: Yes. Yes.

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1 MR. REEVES: I would like you to tell  
2 Mr. Li that we have an agreement to continue,  
3 maybe use the word postpone, the deposition  
4 if he can agree that he will reappear to  
5 finish the deposition some time within the  
6 next three weeks, and that by that time he  
7 will also have had a chance to have reviewed  
8 the California documents. So if he can say  
9 those two things, then we would continue the  
10 deposition for another date in that time  
11 frame.

12 THE WITNESS: Yes, I agree.

13 MR. REEVES: Okay.

14 BY MS. O'LAUGHLIN:

15 Q. Before we end, though, could I just ask one  
16 closing, one question?

17 Mr. Li, from what Mr. Hui has reviewed so  
18 far, has he found or has anyone told you that they  
19 found any information concerning business that Feitian  
20 does in California or Delaware, does or has done?

21 A. No.

22 Q. Mr. Li, how much time do you think you need  
23 to complete the investigation concerning Feitian's  
24 contacts with California and Delaware so that we can

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1 know when we can reconvene the deposition?

2 A. Three weeks.

3 Q. Okay. Could you try -- I'd appreciate if you  
4 would try to make it a shorter time period because that  
5 really pushes things up against our deadline.

6 MR. REEVES: Let me just interject.

7 Could he agree to do it in two weeks?

8 Translator, would you ask him that?

9 THE WITNESS: Yeah. Sure. Yes, I  
10 agree.

11 MS. O'LAUGHLIN: Okay.

12 MR. REEVES: Two weeks it is then.

13 BY MS. O'LAUGHLIN:

14 Q. I just have one other question. Is Zhao  
15 Wenwang still employed at Feitian?

16 A. No, there is no such a person at --

17 Q. He was the assistant manager, the department  
18 of international sales and marketing?

19 A. You mean --

20 MR. REEVES: Wenwang.

21 BY MS. O'LAUGHLIN:

22 Q. Sorry. Z-H-A-O, and then W-E-N-W-A-N-G. Am  
23 I really just mispronouncing it?

24 A. Yes, there is such a person.

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1 Q. And he is still at Feitian?

2 A. No.

3 Q. No. Is there still a department of  
4 international sales and marketing?

5 A. Yes.

6 Q. Who is in charge of that now?

7 A. Me.

8 MS. O'LAUGHLIN: Okay. All right.  
9 Thank you. So we'll reconvene in two weeks.  
10 Mr. Reeves, I guess you'll talk to your  
11 client and give me exact date and time.

12 MR. REEVES: Will do it.

13 MS. O'LAUGHLIN: Okay. Take care  
14 everyone.

15 (Witness excused.)

16 (Deposition concluded at 11:55 p.m.)  
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C E R T I F I C A T I O N

I, ELISABETTA L. ANDREINI,  
Professional Reporter and Notary Public, do  
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DATED:

Elisabetta Andreini

ELISABETTA L. ANDREINI



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